R E M A R K S

Careful review and examination of the subject application are noted and appreciated. Applicant's representative thanks Examiner Chang for the indication of allowable subject matter.

SUPPORT FOR CLAIM AMENDMENTS

Support for the amendments to the claims can be found in the drawings as originally filed, for example, in FIGS. 11(A-B), 12, and 15-23, and in the specification as originally filed, for example, on page 12, line 15 through page 13, line 26, and on page 14, lines 11-29. As such, no new matter has been introduced.

CLAIM REJECTIONS UNDER 35 U.S.C. §103

The rejection of claims 1, 3-6, 8-13 and 27 under 35 U.S.C. §103 as being unpatentable over Field et al. (U.S. Patent No. 6,778,529; hereinafter Field) in view of Colizzi et al. (U.S. Patent No. 6,674,752; hereinafter Colizzi) has been obviated by appropriate amendment and should be withdrawn.

The rejection of claims 1, 3-6, 8-13 and 27 under 35 U.S.C. §103 as being unpatentable over Field et al. (U.S. Patent No. 6,778,529; hereinafter Field) in view of Colizzi et al. (U.S. Patent No. 6,674,752; hereinafter Colizzi) and further in view of Böttle et al. (U.S. Patent No. 5,303,077; hereinafter Böttle) has been obviated by appropriate amendment and should be withdrawn.

In contrast to the cited references, the presently claimed invention (claim 1) provides (a) a write address generator which addresses the interchange random access memory to write subframes, out of alignment with the global frame clock, in a received order, **wherein the write address generator generates the write address from a count of a local frame counter synchronized to the input data frame** and (b) a read address generator which addresses the interchange random access memory to read subframes in interchanged order and aligned to the global frame clock, **wherein the read address generator transforms a count of a global frame counter to generate the read address**. The cited references, alone or in combination do not appear to teach or suggest generating the write address from a count of a local frame counter synchronized to the input data frame **AND** transforming a count of a global frame counter to generate the read address, as presently claimed. Therefore, the Office Action does not appear to meet the Office's burden to factually establish that the cited references teach or suggest each and every element of the presently claimed invention. As such, the rejection does not appear to be sustainable and should be withdrawn.

Specifically, the position taken in the Office Action that Colizzi teaches a memory address alignment scheme using COUNTERS (see section 2 on page 2 of the Office Action) is not technically correct. In particular, Colizzi appears to disclose only a SINGLE counter (see Abstract, column 1, lines 7-21, columns

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4-5, lines 66-7, column 6, lines 12-17, and column 9, lines 30-34 of Colizzi). For example, Colizzi states:

> When the microprocessor MP writes in the spare read control memory SPMR, scan of its memory addresses is driven by the microprocessor MP itself. **Subsequently, scan of its memory addresses is driven by the memory counter DRM.sub.i, not shown for simplicity sake, which also controls read control memories RCM.sub.i.** After a complete scan of the spare read control memory SPMR, the read control memory RCM.sub.i has become fully updated, then the read multiplexer RMUX.sub.i selects the output of the read control memory RCM.sub.i, which at the same time changes its operating mode to read mode. Then the spare read control memory SPMR can be used to update another read control memory RCM.sub.i (column 6, lines 12-26 of Colizzi, emphasis added).

Assuming, *arguendo*, the memory (or master) counter of Colizzi is similar to the presently claimed global frame counter (for which Applicant's representative does not necessarily agree), it follows that the combination of Field and Colizzi do not teach or suggest a local frame counter, as presently claimed. Furthermore, assuming, *arguendo*, the memory (or master) counter of Colizzi is similar to the presently claimed local frame counter (for which Applicant's representative does not necessarily agree), it follows that the combination of Field and Colizzi do not teach or suggest a global frame counter as presently claimed. Therefore, the Office Action does not appear to meet the Office's burden to factually establish that the cited references teach or suggest each and every element of the presently claimed invention. As such, the rejection does not appear to be sustainable and should be withdrawn.

Claims 3-6 and 8-13 depend, directly or indirectly, from claim 1, which is believed to be allowable. As such, the rejection of claims 3-6 and 8-13 does not appear to be sustainable and should be withdrawn.

COMPLETENESS OF THE OFFICE ACTION (37 CFR 1.104)

The Office Action does not appear to be complete as required under 37 C.F.R. 1.104(b). Specifically, the Office Action fails to specifically address the specific limitation language in claims 3-10 and 11-12. In particular, although the rejections of claims 3-10 and 11-12 expressly state the recited limitation added to the independent claim from which the claims depend, the rejections fail to specifically explain how the cited references are applied to the specific limitations. Rather, the rejections merely state that the claims are rejected with the same rational applied against claim 1 above. Since the rejections merely state that the claims are rejected with the same rational applied against claim 1 above, the rejections of claims 3-10 and 11-12 appear to be improperly expressed omnibus rejections. Specifically, MPEP §707.07(d) provides that an omnibus rejection of the claim "on the references and for the reasons of record" is stereotyped and usually not informative and should therefore be avoided. The statement in the Office Action that the claims are rejected with the same rational applied against claim 1 above is similarly stereotyped and not informative as the statement specifically condemned in MPEP §707.07(d). Therefore, the rejections of claims

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3-12 do not appear to be properly expressed. As such, the Office Action does not appear to be complete as to all matters as required under 37 C.F.R. 1.104(b). Applicant's representative respectfully requests that should a subsequent Office Action be deemed necessary by the Examiner, that such subsequent Office Action be non-final.

Applicant's representative respectfully notes that the rejections presented in section 5 on page 3 and in section 6 on page 5 of the Office Action appear to have been cut and pasted without updating the list of claims. Specifically, the rejection presented in section 5 on pages 3-5 of the Office Action only addresses claims 1, 3-6, 8-10 and 27. The rejection in section 5 of the Office Action does not address claims 11, 12 and 13. As such, it appears that the rejection presented in section 5 of the Office Action should have cited claims 1, 3-6, 8-10 and 27 and is treated as such herein. Furthermore, the rejection of claims 1, 3-6, 8-13 and 27 in section 6 on pages 5-7 of the Office Action only addresses claims 11, 12 and 13. The rejection in section 6 of the Office Action does not address claims 1, 3-6, 8-10 and 27. Therefore, the rejection in section 6 of the Office Action is treated as a rejection of only claims 11, 12 and 13.

If Applicant's representative has misinterpreted the Examiner's intent in presenting the two separate rejections, Applicant's representative respectfully requests that the Examiner provide a clearer statement of the grounds for rejection and the affected claims.

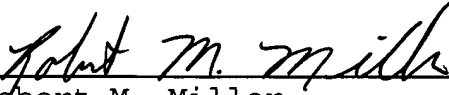Claims 14-16, 18-19 and 21-26 are allowed (see section 7 on page 7 of the Office Action).

Accordingly, the present application is in condition for allowance. Early and favorable action by the Examiner is respectfully solicited.

The Examiner is respectfully invited to call the Applicant's representative between the hours of 9 a.m. and 5 p.m. ET at 586-498-0670 should it be deemed beneficial to further advance prosecution of the application.

If any additional fees are due, please charge Deposit Account No. 12-2252.

Respectfully submitted,

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Dated: <u>August 30, 2006</u>

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